

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN  
APPELLATE DIVISION

**JERMIE MAYNARD**

*Appellant,*

**V.**

GOVERNMENT OF THE VIRGIN ISLANDS

*Appellee.*

)  
) D.C. Crim. App. No. 2005-33  
)  
) Super. Ct. Crim. No. F352/04  
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On Appeal from the Superior Court of the Virgin Islands

Considered: October 29, 2007

Filed: February 22, 2008

**BEFORE: CURTIS V. GÓMEZ**, Chief Judge of the District Court of the Virgin Islands; **RAYMOND FINCH**, Judge of the District Court of the Virgin Islands; and **DARRYL D. DONOHUE**, Judge of the Superior Court, Division of St. Croix, sitting by designation.

**ATTORNEYS :**

Debra Smith Watlington, Esq.

St. Thomas, U.S.V.I.

For the Appellant,

**Maureen Phelan, AAG**

St. Thomas, U.S.V.I.

*For the Appellee.*

## JUDGMENT

**PER CURIAM,**

For the reasons given in the accompanying Memorandum Opinion of even date, it is hereby

**ORDERED** that Jermie B. Maynard's ("Maynard") kidnapping-for-robbery conviction is **VACATED**; it is further

**ORDERED** that Maynard's second-degree robbery conviction is **AFFIRMED**; and it is further

**ORDERED** that this matter is **REMANDED** to the trial court for action consistent with the judgment of this Court.

**DATED: FEBRUARY 22, 2008**

**copies to:** Honorable Curtis V. Gómez  
Honorable Raymond L. Finch  
Honorable Darryl D. Donohue  
  
Honorable Geoffrey W. Barnard  
Honorable George W. Cannon  
  
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